

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Civil File No. 04-CV-3793 MJD/JGL

Twin City Pipe Trades Service  
Association, Inc., a Minnesota  
non-profit corporation,  
Plaintiff,  
vs.

**ORDER**

Gary F. Menne & Sons, Inc.,  
Defendant.

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This matter came before the Court on February 10, 2006, on Plaintiff's Motion for Summary Judgment against Defendant Gary F. Menne & Sons, Inc. William A. Cumming appeared for Plaintiff. David Hoiland appeared for Defendant.

Based on all of the files, records, and proceedings in this matter, and being fully advised in the premises,

IT IS ORDERED that Plaintiff Twin City Pipe Trades Service Association, Inc. have and recover from Defendant Gary F. Menne & Sons, Inc., the sum of Sixty Three Thousand Three Hundred Twenty One and 70/100 dollars (\$63,321.70), consisting of Fifty Eight Thousand Five Hundred Eighty Seven and 30/100 dollars (\$58,587.30) of unpaid fringe benefit contributions including liquidated damages, One Thousand Nine Hundred Twenty Six and 20/100 dollars (\$1,926.20) in interest, and Two Thousand Eight Hundred Eight and 20/100 dollars (\$2,808.20) for reasonable costs and attorney's fees.

IT IS FURTHER ORDERED that Defendant Gary F. Menne & Sons, Inc. is enjoined and required to post a bond in favor of Plaintiff Twin City Pipe Trades Service Association, Inc., as approved by the Service Association Board, or deposit cash, in the amount of Eight Thousand

Eight Hundred Seventy Three dollars (\$8,873.00) conditioned and sufficient to pay all the benefit payments due for a period of at least three (3) months in advance.

IT IS FURTHER ORDERED that Defendant Gary F. Menne & Sons, Inc. is enjoined and required to make its benefit contribution payments once a week not later than three (3) working days (excluding Saturdays, Sundays, and holidays) after the close of the weekly period for which contributions are due.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 14, 2006

s / Michael J. Davis  
Judge Michael J. Davis